IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition No. 6369 of 2001 (S/S)
(Old W.P. No. 20014 of 1993)

1. Best View Hotel Private Limited, Khatima, Nainital through its Managing Director Sri Kamla Kant Singh.
2. Mahendra Singh s/o Late Vijay Bahadur, Managing Director, Best View Hotel Private Limited, Khatima, Nainital …… Petitioners

Versus

1. The Union of India through the Secretary Department of Industrial Development, New Delhi.
2. The U.P.Financial Corporation, Civil Lines, Kanpur through its General Manager
3. The U.P. Financial Corporation, Regional Office, Haldwani, District Nainital through its Regional Manager.
4. The District Industries Officer, Nainital.
5. State of U.P. through State Level Committee constituted under the provisions of Central Investment of Subsidy Scheme. …… Respondents

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Sri V.K.Kaparwan, Advocate on behalf of Sri V.K.Bist, Senior Counsel for the petitioners
Sri Arvind Vashistha, Asstt. Solicitor General for respondent no. 1.
Sri Naresh Pant, Advocate for respondents 2 and 3.
Sri Subhash Upadhyaya, Brief Holder, for respondent no. 4.
Smt. Beena Pande, Standing Counsel (U.P.Govt.)for respondent no.5.

JUDGMENT
Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble J.C.S.Rawat, J.

RAJEEV GUPTA, C.J. (Oral)

Sri V.K.Kaparwan, Advocate on behalf of Sri V.K.Bist, Senior Counsel for the petitioners

Sri Arvind Vashistha, Asstt. Solicitor General for respondent no. 1.

Sri Naresh Pant, Advocate for respondents 2 and 3.

Sri Subhash Upadhyaya, Brief Holder, for respondent no. 4.

Smt. Beena Pande, Standing Counsel (U.P.Govt.)for respondent no.5.

2. Sri Naresh Pant, the learned counsel for respondents 2 and 3, submits that in view of the development during the pendency of the writ petition including the one time settlement between the petitioner hotel and the Uttar Pradesh Financial Corporation and the payment of about Rs.59,00,000/- (Rupees Fifty Nine Lakhs only) by the petitioner hotel against the dues, the writ petition, now, has become infructuous.

2. The writ petition, therefore, is dismissesd as infructuous.

(J.C.S.Rawat, J.) **(Rajeev Gupta, C.J.)**
23.04.2007 23.04.2007

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